



Environmental and Public Protection Cabinet
Department for Environmental Protection
Division of Water
14 Reilly Road
Frankfort, Kentucky

Kentucky Pollutant Discharge Elimination System

Public Notice No. 2006-26

Date of Notice: August 18, 2006

Comments Due By: September 18, 2006

The Kentucky Department for Environmental Protection, Division of Water proposes to issue, modify or terminate Kentucky Pollutant Discharge Elimination System (KPDES) permits for the treated wastewater discharges listed below.

KPDES PERMIT REISSUANCES

1. **EVARTS WASTEWATER TREATMENT PLANT** (City of Evarts), 100 Ginoatown Road, Evarts, Kentucky. KPDES No. KY0073091. This permit action involves an existing discharge of sanitary wastewater from a wastewater treatment and collection facility (SIC Code 2213) that enters the Clover Fork of the Cumberland River at mile point 10.2 in Harlan County. Permit Writer: Robert S. Clay, Jr.
2. **SHAMROCK COAL COMPANY, INCORPORATED – BEECH FORK PREPARATION PLANT**, 4901 Highway 421, Helton, Kentucky. KPDES No. KY0088838. This permit action involves an existing source discharge of process water and storm water runoff from an underground coal mine, preparation plant and associated areas that enter Beech Fork of Middle Fork of the Kentucky River and Old House Branch in Leslie County. Permit Writer: Diane Davidson.

KPDES PERMIT RE-PUBLIC NOTICE

PONTIKI COAL, LLC (Alliance Coal, LLC), Kentucky Highway 1439, Pilgrim, Kentucky. KPDES No. KY0041475. This permit action involves an existing source discharge of preparation plant drainage and sanitary wastewater from a coal preparation plant and associated areas that enters McGee Branch and Findlay Branch at mile point 0.20 and 0.30, respectively in Martin County. This permit is being re-public noticed to allow for the addition of a sanitary outfall. Permit Writer: Larry Sowder.

Commonwealth of Kentucky Antidegradation Statement

Antidegradation determinations have been made in regard to the permits referenced in this Public Notice. Any information concerning the foundation of the Division's position as to these determinations is addressed in the permits' Statement of Basis or Fact Sheets and all supporting documentation is available in the permit files maintained at the Division central office in Frankfort, Kentucky. Kentucky's antidegradation policy is found in Regulation 401 KAR 5:029, Section 1. Antidegradation policy implementation methodology is defined in Regulation 401 KAR 5:030. The primary purposes of these regulations is to safeguard the surface waters of the Commonwealth for their designated uses, to prevent the creation of any new pollution of these waters, and to abate any existing pollution.

GENERAL INFORMATION

The KPDES program issues permits for all treatment facilities which discharge, or propose to discharge, to waters of the Commonwealth which are classified for domestic water supply, for fish and aquatic life, and for recreation. Proposed KPDES permits are written to protect the classified uses of receiving waters and contain limitations on the amounts of pollutants to be discharged and other conditions. The proposed permits are drafted in accordance with applicable provisions of the Kentucky Revised Statutes and appropriate regulations. The permit conditions are tentative and open to comment from the public. Persons wishing to comment upon or object to the proposed action (permit issuance, modification or termination) or the proposed permit conditions are invited to submit comments to the Division at the following address: **Department for Environmental Protection, Division of Water, KPDES Branch, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601, Attention: Inventory & Data Management Section**. The comments must be received by the comment due date stated at the beginning of this notice. The applicant's name and KPDES number should be included in the comments.

Interested persons may also request that the Director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why a hearing is warranted. When there is public interest, the Director will hold a public hearing pursuant to 401 KAR 5:075, Section 7. After consideration of comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State Acts and appropriate regulations, the Director of the Division will make a determination regarding final permit action.

Permit applications, draft permits, fact sheets or statements of basis, and additional information are available by contacting the Division of Water. Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays. A copy machine is available for public use at 10 cents per page. Three (3) days advance notice may be required for inspection of files. **Please bring the preceding to the attention of persons whom you know will be interested.**

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